

# EXHIBIT

2

1 grades four, five and six.

2 Q When did you get your masters in reading and  
3 writing?

4 A In May of 2007 it -- well, I graduated, actually,  
5 in December, December of 2006.

6 Q Okay. What --

7 A Ceremony was in May of 2007.

8 Q Okay. Was there any type of reading  
9 specialist for Atlantic Avenue School before you were  
10 hired?

11 A No.

12 Q I'm going to draw your attention to a -- a  
13 DRA. First of all, have you ever assessed H.M. or ever  
14 had any type of assessment of her?

15 A Yes.

16 Q What -- in what capacity?

17 A I assessed her this year in the administration of  
18 the QRI.

19 Q Did you administer any other tests of her in  
20 fifth grade?

21 A No.

22 Q Okay. What's the QRI?

23 A It's called a Qualitative Reading Inventory and  
24 it's assessment of -- right now it's a -- it's a multi-  
25 assessment, but we are using it in Haddon Heights for

1 -- trying to understand where students read at what  
2 grade level in regards to comprehension.

3 Q And what were the results of H.M.'s  
4 assessment?

5 MS. REISMAN: Objection. This assessment  
6 occurred this school year and we've had objection from  
7 the other side to events that occurred after the team  
8 made its decision. This -- this wasn't the basis of  
9 the team's decision for the 2008/2009 school year.

10 MR. BENTLEY: But there's been -- sorry.

11 THE COURT: Go ahead.

12 MR. BENTLEY: There's been evidence --  
13 questions on cross examination of my expert witness of  
14 things that may have happened in sixth grade.

15 MS. REISMAN: The -- the parents haven't  
16 even seen copies of the results of this assessment.  
17 It's -- it's --

18 MR. BENTLEY: But I'm sure they know --

19 THE COURT: 2008.

20 MR. BENTLEY: I'm sure they know what the  
21 results are and that's why they don't want the Judge to  
22 know what they are.

23 MS. REISMAN: Actually, we don't know.

24 (Laughing.) It's not that we don't want the Judge to  
25 know what they are, it's that this is not something

1 that the team had at the time it made its decision.

2 THE COURT: You know, the usual -- the usual  
3 type of case that I have is one where there is -- a  
4 child is placed in an educational program and I'm to be  
5 asked to decide whether a specific IEP is appropriate  
6 and -- and usually after events had -- after the fact  
7 are allowed in because it's important to the child's  
8 interests -- in the best interests of the child to  
9 determine really what is -- you know, what the proper  
10 determination should be.

11 This is different, though. This is a  
12 determination that was made at a point in time that  
13 H.M. is not qualified or not eligible for special  
14 education and related services. I'm not sure that it  
15 would be fair to consider after -- events that occurred  
16 after the fact. And to the extent that this is a test  
17 that occurred after the fact I'm going to -- going to  
18 exclude it.

19 BY MR. BENTLEY:

20 Q Ms. Elfreth, were you involved in a -- a DRA  
21 assessment of H.M. back in --

22 A Did I administer one, are you asking?

23 Q Were you involved in -- in any capacity?

24 A Yes.

25 Q Okay. In what -- in what capacity?